

## Message Text

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ACTION AF-06

INFO OCT-01 EUR-12 ISO-00 L-02 IO-10 CIAE-00 DODE-00 PM-03

H-02 INR-07 NSAE-00 NSC-05 PA-02 PRS-01 SP-02 SS-15

USIA-15 CU-04 SCCT-01 NIC-01 /089 W

----- 090875

R 251400Z MAR 75

FM AMEMBASSY CAPE TOWN

TO SECSTATE WASHDC 4510

INFO AMCONSUL DURBAN

AMCONSUL JOHANNESBURG

RUEHPCXAMEMBASSY PRETORIA 5240

AMEMBASSY LONDON

AMEMBASSY DAR ES SALAAM

AMEMBASSY LUSAKA

AMEMBASSY GABORONE

AMEMBASSY MASERU

AMEMBASSY MBABANE

UNCLAS CAPE TOWN 0352

E.O.11652:N/A

TAGS :RH,PINT,PINS,PFOR,SF

SUBJ :SITHOLE TRIAL REVEALS SMITH-VORSTER

AGREEMENT

1. FIRST DAY OF HEARINGS (MARCH 24) REVIEWING DETENTION OF ZANU LEADER REV. NDABANINGI SITHOLE PRIMARILY DEVOTED TO ARGUMENT OFFERED BY SITHOLE'S COUNSEL,SOUTH AFRICAN ISAAC MAISELS, THAT CHARGE THAT SITHOLE HAD VIOLATED CEASEFIRE AGREEMENT COULD NOT PROPERLY BE JUDGED UNLESS WRITTEN CEASEFIRE ACCORDS INTRODUCED AS EVIDENCE.

2. RHODESIAN SOLICITOR-GENERAL WADDINGTON RESPONDED THAT 'THE CEASEFIRE AGREEMENT IS NOT IN WRITING.' HE FURTHER ARGUED THAT THE ACTUAL TERMS AND SITHOLE'S UNDERSTANDING OF THEN WERE IRRELEVANT. 'NEITHER BEFORE NOR AFTER(THE CEASEFIRE) WAS SITHOLE,ZANU OR ZANLA(ZANU'S MILITARY ARM) ENTITLED TO COMMIT UNCLASSIFIED

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ACTS OF WAR OR ATROCITIES.' HOWEVER, TO BOLSTER ARGUMENT THAT

AGREEMENT WAS WELL UNDERSTOOD BY ALL PARTIES INVOLVED, WADDINGTON INTRODUCED AFFIDAVIT SIGNED BY IAN SMITH ASSERTING THAT CEASEFIRE PLAN WAS PRODUCT OF SMITH-VORSTER OCTOBER MEETING IN WHICH VORSTER GAVE ASSURANCES OF ZAMBIAN AND TANZANIAN SUPPORT FOR ITS IMPLEMENTATION.

3. FOLLOWING IS TEXT OF SMITH STATEMENT AS REPORTED IN SOUTH AFRICAN PRESS:

QUOTE I, IAN DOUGLAS SMITH, PRIME MINISTER OF RHODESIA, HEREBY CERTIFY THAT AT A MEETING HELD BETWEEN THE SOUTH AFRICAN PRIME MINISTER AND ME DURING OCTOBER 1974, IT WAS AGREED THAT:

QUOTE: THE RHODESIAN GOVERNMENT WOULD HOLD A CONSTITUTIONAL CONFERENCE ON THE RHODESIAN SETTLEMENT ISSUE;

QUOTE: THE DETAINED RHODESIAN AFRICAN LEADERS AND THEIR FOLLOWERS WOULD BE RELEASED FROM DETENTION AND THE LEADERS INVITED TO PARTICIPATE IN THE CONFERENCE;

QUOTE: AS A QUID PRO QUO FOR THE RELEASE OF THESE DETAINEES, TERRORISM IN RHODESIA WOULD CEASE IMMEDIATELY;

QUOTE: THE RELEASED DETAINEES WOULD BE PERMITTED TO ENGAGE IN NORMAL ACTIVITIES IN TERMS OF THE LAWS APPLICABLE TO ALL RHODESIANS;

QUOTE: THE SOUTH AFRICAN PRIME MINISTER HAD THE SUPPORT OF THE GOVERNMENTS OF ZAMBIA AND TANZANIA IN THESE ARRANGEMENTS.

UNQUOTE

4. DURING MARCH 24 SESSION, SOLICITOR-GENERAL ALSO REVEALED THAT POLITICAL LEADERS SITHOLE ALLEGEDLY PLANNED TO ASSASSINATE WERE ZAPU'S JOSHUA NKOMO AND BISHOP ABEL MUZOREWA AND DR. ELLIOT GABELLAH OF THE ANC. ACCORDING TO PRESS REPORT, MUZOREWA AND NKOMO WERE AMONG LARGE NUMBERS OF AFRICANS WHO ATTENDED HEARING WHICH WAS OPEN TO THE PUBLIC.

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